

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.748 OF 2005.

Dhanesh Textiles Industries Pvt.Ltd ..Appellant.

Verus.
Commissioner of Central Excise ..Respondents.

Mr.D.B.Shroff i/b M/s Pardiwala & Co. for the appellant.

CORAM: S.B.MHASE &
S.R.SATHE, JJ.
DATE :9th August 2005.

P.C.

1. Learned counsel Mr.Shroff appearing for appellant submits by Order dated 15/07/2005 the Customs, Excise and Service Tax Appellate Tribunal has withdrawn the impugned Order dated 8.6.2004 on the ground that the issue raised has not been taken into consideration while deciding the appeal and thus he submits that the Appeal does not survive. He seeks leave to withdraw the said appeal.

2. In view of this leave to withdraw the appeal is granted.

3. Appeal is disposed of as withdrawn unconditionally.

(S.R.SATHE)

(S.B.MHASE)